

March 30, 2010

MEMORANDUM TO: Rani Franovich, Chief  
Performance Assessment Branch  
Division of Inspection and Regional Support  
Office of Nuclear Reactor Regulation

FROM: Audrey Klett, Reactor Operations Engineer */RA/*  
Performance Assessment Branch  
Division of Inspection and Regional Support  
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE REACTOR OVERSIGHT PROCESS MONTHLY  
PUBLIC MEETING HELD ON MARCH 18, 2010

On March 18, 2010, the Nuclear Regulatory Commission (NRC) staff hosted the Reactor Oversight Process (ROP) monthly public meeting with the Nuclear Energy Institute (NEI) ROP Task Force and other industry representatives (i.e., the industry). Enclosure 1 contains the meeting attendance list, and Enclosure 2 contains the meeting handouts. The meeting agenda can be found in the Agencywide Documents Access and Management System (ADAMS) under accession number ML100540017. Meeting attendees discussed topics related to security, assessment, inspection, and performance indicators (PIs).

Staff from the NRC's Office of Nuclear Security and Incident Response discussed security-related topics. Specifically, the staff stated that new inspection procedures that reflect revisions to Title 10 of the *Code of Federal Regulations*, Part 73, Section 55 (10 CFR 73.55), and 10 CFR 26 will be implemented in April 2010. The staff and stakeholders agreed that completion of one inspection cycle using the new procedures would better inform a review of the effectiveness and development of Security Cornerstone PIs. The staff and stakeholders also agreed that the ROP Working Group should be involved in any frequently asked questions (FAQs) or issues associated with the security-related PI.

NEI raised a concern regarding inconsistencies between Inspection Manual Chapter (IMC) 0609, Appendix L, "B.5.b Significance Determination Process," and NEI 06-12, "B.5.b Phase 2 and 3 Submittal Guideline." Specifically, NEI believes that a licensee can receive a finding having greater-than-green safety significance although it conforms to the guidance in NEI 06-12. NEI will provide more information related to this concern at a future public meeting.

Staff from the NRC's Office of Nuclear Reactor Regulation (NRR), Division of Inspection and Regional Support (DIRS), Program Assessment Branch (IPAB) discussed assessment-related topics. Specifically, the staff discussed the status of Commission papers in concurrence (i.e., the Industry Trends Program and ROP self-assessment SECYs), the annual performance metrics report, and the staff's response to external survey comments. The staff also provided the industry the dates of the agency action review meeting and subsequent Commission meeting.

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Staff from the Reactor Inspection Branch (IRIB) of NRR/DIRS discussed inspection program-related topics. The staff stated that it intended to include a definition of a self-imposed standard in the next revision to IMC 0612, "Power Reactor Inspection Reports." The staff also indicated that if the industry identifies any specific examples of improper application of self-imposed standards in the NRC's inspection process, it should provide these examples at the next ROP monthly meeting. The staff also informed meeting participants that it would discuss potential revisions to IMC 0620, "Inspection Documents and Records," regarding access to licensee documents and Freedom of Information Act requests, during a subsequent meeting.

The IRIB staff discussed its plans to engage the industry regarding the next revision of NUREG-1022, "Event Reporting Guidelines: 10 CFR 50.72 and 50.73," Revision 2. The staff plans to conduct public meetings and will provide the industry with a proposed schedule for the revision effort. The staff also informed the industry that the new Temporary Instruction (TI) 2515/181, "Validate the Effectiveness of the Regulatory Infrastructure Related to Fire-Induced Circuit Failures and Operator Manual Actions," will be issued in 2010. The staff plans to conduct the TI at two plants that have not yet been chosen and to eventually incorporate the TI guidance into baseline inspection procedures.

Staff and industry discussed various proposed changes to NEI 99-02, "Regulatory Assessment Performance Indicator Guideline." Specifically, the meeting participants discussed two unresolved white papers concerning monitoring emergency diesel generator (EDG) fuel oil transfer pumps as part of the mitigating system performance index (MSPI) and revising the component failure mode definitions for EDGs. IPAB staff provided preliminary statistics of its review of EDG baseline data (Enclosure 2), including fuel oil transfer pump failures, and will provide a final list of failure data with supporting analyses at the next meeting. The staff also continues to evaluate data using the new EDG failure mode definitions and may suggest additional changes depending on the results of the analyses.

The staff discussed its intention to submit a white paper to revise NEI 99-02 to include guidance for updating MSPI basis documents. The staff wants to ensure that inspectors can review and audit MSPI data basis records as part of PI verification inspections. NEI staff stated it would evaluate the concern and propose revisions to the guidance, if necessary. Similarly, the staff will consider resolutions to this concern and may propose language for a revision to NEI 99-02.

During the January 2010 ROP monthly public meeting, the industry introduced a white paper proposing changes to NEI 99-02 governing the applicable licensee event report (LER) date for safety system function failure (SSFF) PI reporting. The staff discussed the paper during the March 2010 meeting and indicated that a change to the NEI 99-02 is not warranted. Specifically, NEI 99-02 guidance currently states that the report date of an LER should be used for reporting SSFF PI data, and NUREG-1022 establishes a three-year window-of-interest for event reporting. As such, any SSFF that occurred within three years would be reported (consistent with NUREG-1022) and count toward the PI in the quarter in which it was reported (consistent with NEI 99-02). The staff acknowledged that industry efforts to identify SSFFs that had occurred within the last three years but had not been previously reported in accordance with 10 CFR 50.73(a)(2)(v) could potentially result in a short-duration inflated number of reported SSFFs for the associated PI. However, the staff noted that revisions to NEI 99-02 guidance are not warranted for these short-lived potential impacts to the PI caused by

corrections to past non-compliances with reporting requirements. The staff also noted that, should the short-lived inflation of the PI data cause a white threshold to be crossed, a regional office could determine that supplemental inspection is not warranted and invoke the action matrix deviation process. For these reasons, the staff will not consider the NEI's white paper and proposed changes to NEI 99-02 further.

Meeting attendees discussed PI FAQs provided by NEI (Enclosure 2). The industry requested further discussions with NRC's emergency preparedness staff at the next ROP meeting prior to final approval of FAQ 09-06. FAQ 09-09 received final approval and will have an effective date of April 1, 2010. FAQ 09-10 remains on hold pending discussions during the April 8, 2010, public meeting on the emergency response organization drill participation PI (ML100680548). FAQ 10-01 received final approval and will have an effective date of April 1, 2010. FAQ 10-02, which was identified as part of the review of FAQ 09-04 for Brunswick, remains in "introduced" status and requires NRC review. The industry introduced a new FAQ (FAQ 10-03) specific to Wolf Creek regarding the unplanned scrams with complications PI.

The status of FAQs is as follows:

TempNo.	PI	Topic	Status	Plant/ Co.
09-06	EP01	Offsite Call Simulation	Tentative Approval	Duane Arnold
09-09	IE03	Unplanned Power Changes	Final Approval	Generic
09-10	EP02	Common EOF Participation	On Hold	Generic
10-01	N/A	Withdrawal of FAQs	Final Approval	Generic
10-02	IE04	USwC	Introduced	Generic
10-03	IE04	USwC	New	Wolf Creek

The next ROP monthly public meeting will be held on April 21, 2010. A separate public meeting on establishing a framework for considering new PIs will also occur on April 21, 2010, directly following the ROP monthly public meeting. The following ROP monthly public meeting is tentatively scheduled for May 26, 2010.

Enclosures:

1. Attendance List – March 18, 2010
2. Meeting Handouts

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 TPruett RPowell DMerzkeJLara CPaulk RCostello TBarry RKahler MAshley

ADAMS Accession Nos.: Package: ML100850185; Memo: ML100850446; Enclosure 2: ML100850463

OFFICE	NRR/DIRS	NRR/DIRS	NSIR/DSO	NRR/DIRS
NAME	AKlett	TKobetz	RCostello	RFranovich
DATE	03/29/2010	03/29/2010	03/29/2010	03/30/2010

**OFFICIAL RECORD COPY**

## ATTENDANCE LIST - ROP PUBLIC MEETING - MARCH 18, 2010

<b>Name:</b>	<b>Affiliation:</b>
Randall Crane	AEP
Terry Patterson	CENG
Garry D. Miller	Dominion
Jeff Thomas	Duke Energy
Roy Linthicum	Exelon
Jim Peschel	FPL
Glen Masters	INPO
Michael Griffen	MDE
Tom Houghton	NEI
Jim Slider	NEI
Ken Heffner	NEI
Chris Earls	NEI
Martin Hug	NEI
Dave VanDerKamp	NPPD
Audrey Klett	NRC
Nathan Sanfilippo	NRC
Tim Kobetz	NRC
Stephen Vaughn	NRC
Chris Henderson	NRC
Kevin Roche	NRC
Ross Telson	NRC
Terrence Barry	NRC
Aron Lewin	NRC
Ralph Costello	NRC
Rani Franovich	NRC
Chris Long	NRC
Greg Sosson	PSEG Nuclear
Gerald Sowers	PVNGS
Deann Raleigh	Scientech
Dave Midlik	Southern Nuclear
Duane Kanitz	STARS
Robyn Savage	STPNOC
Rod Cook	TVA
Terry Damashek	WCNOC
William Muilenburg	WCNOC
Carlos Sisco	Winston & Strawn, LLP
Mary Ballengee	Wolf Creek
Steve (Wineman?)	Wolf Creek
Lenny Sueper	Xcel Energy